**TRANSMITTAL LETTER****MAIL STOP AMENDMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Application No.: 10/792,346 Filing Date: March 3, 2004Examiner: Mark L. Berch Art Unit: 1624Invention: **SUBSTITUTED AZETIDINONE COMPOUNDS, PROCESSES FOR PREPARING THE SAME, FORMULATIONS AND USES THEREOF**

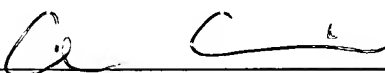
Transmitted via facsimile herewith is a Request for Reconsideration in the above-identified application.

- ☐ Small Entity Status is/has been asserted for this application under 37 CFR 1.27.  
☐ A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.  
☒ No additional claim fee is required.  
☐ The fee has been calculated as shown below:

No of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total <u>24</u>	<u>24</u>	<u>0</u>	x \$ 25.00	x \$ 50.00	\$ <u>0.00</u>
Indep. <u>1</u>	<u>1</u>	<u>0</u>	x \$100.00	x \$200.00	\$ <u>0.00</u>
First Presentation of Multiple Dependent Claim/s			+ \$	+ \$	\$ <u>0.00</u>
TOTAL ADDITIONAL FEE					\$ <u>0.00</u>

- ☐ Check in the amount of \$\_\_\_\_\_ is enclosed for one-month extension of time.  
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.  
☒ Any additional filing fees required under 37 CFR 1.16.  
☒ Any patent application processing fees under 37 CFR 1.17.

January 18, 2005  
Date

By:   
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IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
**Duane Burnett et al.**

Examiner: Mark L. Berch

Serial No.: **10/792,346**

Group Art Unit: 1624

Filed: **March 3, 2004**

Date: January 18, 2005

For: **Substituted Azetidinone  
Combinations, Processes  
For Preparing the Same,  
Formulations and uses  
Thereof**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 56, it is requested that the documents listed on the accompanying PTO-1449 Form be considered and made of record in the above-identified patent application. Copy(ies) of these reference(s) ☒ are attached ☐ were filed in related application U.S. Serial No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

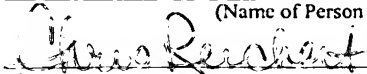
(a) No fee is believed due because:

- ☐ This Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- ☐ This Information Disclosure Statement is being concurrently filed with the above-identified application.
- ☐ This Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
- ☒ This Supplemental Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

I hereby certify that this correspondence is being transmitted via facsimile addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number 703-872-9306 on January 18, 2005.

Chris Reichert

(Name of Person Faxing Paper)

  
Signature

1/18/2005  
Date

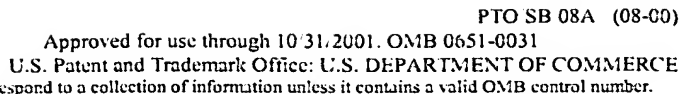
- (b) ☐ This Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- (c) ☐ This Information Disclosure Statement is being filed on or before the payment of the issue fee; and
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and
- ☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Supplemental Information Disclosure Statement, or credit any overpayment to Deposit Account No. 23-0650, Patent Case No. CV06038US 01.

Respectfully submitted,

Dated: January 18, 2005

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Application Number	10/792,346
Filing Date	March 3, 2004
First Named Inventor	Duane Burnett et al.
Group Art Unit	1624
Examiner Name	Mark L. Berch
Attorney Docket Number	CV06038US/4686-050107

{W0164068.1}

Please type a plus sign (+) inside this box → ☐

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Substitute for form 1449A PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/792,346
				Filing Date	March 3, 2004
				First Named Inventor	Duane Burnett et al.
				Group Art Unit	1624
				Examiner Name	Mark L. Berch
				Attorney Docket Number	CV06038/4686-050107
Sheet	2	of	2		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, cite and/or country where published.	T <sup>2</sup>
	3	Luis Gruberg, MD, "Inflammatory Markers in Acute Coronary Syndromes: C-reactive Protein (CRP) and Chlamydia," American Heart Association Scientific Sessions 2000.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printer Friendly

10/792,346      Substituted azetidinone compounds, processes for preparing the same,  
formulations and uses thereof

## Application Data

Application Number:	10/792,346	Customer Number:	-
Filing or 371 (c) Date:	03-03-2004	Status:	Docketed New Case - Ready for Examination
Application Type:	Utility	Status Date:	08-10-2004
Examiner Name:	BERCH, MARK L	Location:	ELECTRONIC
Group Art Unit:	1624	Location Date:	-
Confirmation Number:	4535	Earliest Publication No:	US 2004-0180861 A1
Attorney Docket Number:	CV06038US01	Earliest Publication Date:	09-16-2004
Class / Subclass:	514/210.020	Patent Number:	-
First Named Inventor:	Duane Burnett, <i>et al</i> Bernardsville, NJ	Issue Date of Patent:	-
Title of Invention:	Substituted azetidinone compounds, processes for preparing the same, formulations and uses thereof		

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24 Claims

Independent